

**In the Claims**

**This listing of all claims will replace all prior versions, and listings, of claims in the application:**

1. (currently amended) A fish biopsy device comprising at least one hook having a tip portion, a bend, and a shank, wherein:

said tip portion comprises a tube of a non-pliable material having a sharpened end, wherein ~~said tube bore optionally includes a plurality of barbs, and wherein said~~ tube has an aperture therein distal said sharpened end; and

said bend is formed from a pliable material of sufficient rigidity so that the sharpened end of the tip portion contacts the flesh of the fish at the time of an initial strike on the device but is sufficiently pliable to straighten under the action of the fish and/or force applied via the line attached to the device to disengage the tip portion and free the fish.

2. (original) The device of claim 1, wherein said tubular tip portion is fabricated from a material selected from the group consisting of metals, plastics, glass and ceramics.

3. (original) The device of claim 2, wherein said tubular tip portion is fabricated from stainless steel.

4. (original) The device of claim 1, wherein said sharpened end of the tip portion is provided by chamfering the edges of the tube forming the portion or by castellating the tip.
5. (original) The device of claim 1, wherein said sharpened end of the tip portion is a bevel having an angle of 25 to 45° to the axis of the tube forming the portion.
6. (original) The device of claim 5, wherein said bevel has an angle of 30° to the axis of the tube forming the portion.
7. (original) The device of claim 5, wherein said tip portion is positioned so that the point formed by the bevel is on the outer side of the hook.
8. (original) The device of claim 1, wherein said tip portion includes barbs which are machined into the inside walls of the tube forming the tip portion.
9. (currently amended) The device of claim 1, wherein said tip portion includes ~~barbs~~ comprising at least one member projecting into the bore of the tip portion from the end that adjoins the bend of the hook, and wherein said at least one member is barbed.
10. (original) The device of claim 9, wherein said at least one member comprises a dental broach.

11. (currently amended) The device of claim 1, wherein ~~said tip portion does not include internal barbs and~~ the sharpened end of said tip portion has an internal diameter that is slightly less than the bore of the tip portion.

12. (original) The device of claim 1, wherein said aperture is a hole or slot cut through the wall of the tube forming the tip portion.

13. (original) The device of claim 1, wherein said bend is fabricated from a material selected from the group consisting of plastics, ceramics, metals and alloys.

14. (original) The device of claim 13, wherein said bend is fabricated from copper.

15. (original) The device of claim 13, wherein said bend is fabricated from aluminium alloy.

16. (original) The device of claim 13, wherein said bend is in the form of a tube or a solid wire.

17. (original) The device of claim 1, wherein said bend and shank are formed from a single piece of material.

18. (withdrawn) The device of claim 1, comprising a plurality of hooks.

19. (withdrawn) The device of claim 18, wherein said plurality of hooks are linked by a common shank.

20. (withdrawn) The device of claim 18, wherein each of said plurality of hooks has a shank and the shanks are linked to form the device.

21. (withdrawn) The device of claim 18, wherein said hooks are positioned longitudinally with respect to each other, laterally with respect to each other, or a combination of longitudinally and laterally.

22. (withdrawn) The device of claim 18, comprising two hooks.

23. (withdrawn) The device of claim 18, comprising three hooks.

24. (original) The device of claim 1, wherein said tip portion is threadingly engaged by said bend.

25. (original) The device of claim 1, wherein said shank has an eye at the end thereof for attachment of a line to said device.

26. (withdrawn) A method of obtaining biopsy material from a fish, said method comprising the steps of:

- i) providing a line with a device according to anyone of claims 1 to 25 attached thereto;
- ii) allowing a fish to strike said device;
- iii) recovering said device after release from said fish; and
- iv) obtaining said biopsy material from the tip portion of the device.

27. (withdrawn) The method of claim 26, wherein said hook has bait attached thereto, wherein said bait is from a species different to said target species.

28. (withdrawn) The method of claim 26, wherein said hook is used in conjunction with a lure.